APPENDIX TO AMICUS CURIAE BRIEF OF ATTORNEY GENERAL OF MARYLAND

I.

REPORT

TO

THE STATE BOARD OF EDUCATION

AND

THE ATTORNEY-GENERAL OF MARYLAND

FOREWORD

This report combines the findings and recommendations of individuals, and committee groups, who have—

(1) studied the recent opinion of the Supreme Court with respect to segregated school systems, such as exist in the twenty-three counties of Maryland;

(2) gathered pertinent data; and,

(3) developed statements of principles for consideration by:

THE STATE BOARD OF EDUCATION
and
THE ATTORNEY-GENERAL OF MARYLAND

WILLIAM S. SCHMIDT,

Chairman.

Acknowledgment is due many individuals in the preparation of this report. As chairman of the Superintendent's Committee on Desegregation of the Public Schools of Maryland, I wish to express my gratitude first to the members of my committee,

Mr. James M. Bennett, Superintendent of Schools, Wicomico County,

Mr. William M. Brish, Superintendent of Schools, Washington County,

Mr. Reade W. Corr, Superintendent of Schools, Kent County

and

Mr. John H. Fischer, Superintendent of Schools, Baltimore City,

who assisted me so ably in the gathering of data and the drafting of statements of general principles, as well as, through their critical reading of the preliminary report.

The Committee is indebted especially to our State Superintendent of Schools, Dr. Thomas G. Pullen, Jr., to Mr. W. Giles Parker, Assistant Attorney-General of Maryland, and to Mr. Paul E. Huffington, State Supervisor of High Schools, for their invaluable contribution of thought, and their wise counsel. The Committee also wishes to acknowledge the help of all others who had a share in gathering and compiling the data upon which this report is based.

As chairman, I wish to express my appreciation to a member of my professional staff, Miss Rowannetta S. Allen, for her assistance in editing and combining the several reports received.

Maryland has always been considerate of its colored population. As a matter of fact, the State was considerate of the Negro race when most of its representatives within the confines of the State were not citizens but slaves. The most eloquent testimony of this fact is that in 1861 the number of Negroes in Maryland was about equally divided between freed men and slaves. In its Constitution of 1867 the State provided for the education of both the white and colored races. True, it did provide for the education of both races in separate schools, but this was the accepted pattern of the day.

Elsewhere in this report is a summary of the progress that has been made in the education of the colored race in Maryland from 1867 through 1954, a period of nearly a century. Progress has been phenomenal. It is not the purpose of this report to belabor this particular point; facts and figures are cited merely to prove the good will and intent of the State of Maryland toward all its citizens.

On May 17, 1954, the Supreme Court of the United States rendered an opinion to the effect that the continuation of segregated schools is unconstitutional, and it invited the attorneys general of the various states affected to present briefs to the Court in the capacity of "amici curiae" suggesting procedures by which segregation of schools could be eliminated most satisfactorily and to guide the Supreme Court of the United States in drawing up its final decree.

The State Board of Education held its first meeting following this decision on May 26. The Board was advised by Attorney-General Rollins that the Supreme Court had issued only an "opinion" not a final decree.

It should be noted that the Attorney-General of Maryland, while not objecting in any sense to the opinion and to the forthcoming decree of the Supreme Court, notified the State and local school authorities of Maryland that in accordance with the laws of the State it would be necessary for them to continue segregation in the schools and teachers colleges of the State until such time as a final decree was transmitted or until such time as the Legislature of the State might repeal its laws requiring segregation.

Particular attention should be called to the fact that the Attorney-General of Maryland accepted the opinion of the Supreme Court as being just and equitable and publicly affirmed his willingness to assist in the desegregation of the schools of the State in accordance with due process of law and the decree of the Supreme Court of the United States.

Especial attention is called also to the fact that the State Superintendent of Schools has accepted the decision of the Supreme Court and has indicated his willingness to imple-

ment desegregation to the best of his ability and to the limit of the powers of his office. Further, the State Board of Education, at its meeting on May 26, took the position that the final judicial authority of the land had spoken and that it would do all within its power to implement the decision of the Court's decree when it is finally passed. (For the record, a copy of the statement of the State Board of Education is included in this brief.)

This action of the State Board was followed by a meeting of the school superintendents from the twenty-three counties and Baltimore City with the Attorney-General and other state officials. At that time, Dr. Thomas G. Pullen, Jr., State Superintendent of Schools, announced the appointment of a five-man committee of superintendents to (1) work closely with the State Department of Education and the Attorney-General's Office on the collection and preparation of data to be used in the presentation of Maryland's brief to the Supreme Court in October, and (2) to draw up a broad general statement of principles to be used by local boards of education as guiding principles for implementing the Supreme Court decision "that will be fair and equitable through the state" and impair no individual rights.

In compliance with this assignment, the committee divided itself into two sub-committees: one studied and considered the general guiding principles; the other conducted the survey and compiled data regarding the present status of our segregated schools.

Very early in its work, the committee discovered that one of its functions would be to advise the Attorney-General on the arguments to Questions 4 and 5 which the Supreme Court had propounded for reargument in the October 1954 session. These questions are: (4) "Assuming it is decided that segregation in public schools violates the Fourteenth Amendment,

(a) would a decree necessarily follow providing that, within the limits set by normal geographic school

districting, Negro children should forthwith be admitted to schools of their choice, or

(b) may this Court, in the exercise of its equity powers, permit an effective gradual adjustment to be brought about from existing segregated systems to a system not based on color distinctions?"

In search for the answer to this question, the committee was governed by the returns on its questionnaire circulated to the superintendents of the twenty-three counties of the State, and to the Superintendent of Schools of Baltimore City. In a majority of the counties the returns indicated that the most acceptable method for ending public school segregation would be by a gradual transition period. In support of this position, the committee offers the following statements:

(a) Since 1870, Maryland has operated a segregated system of public education. The adherence to the Plissy v. Ferguson doctrine of "separate but equal facilities" since 1896 has created in many counties a duplication of facilities, personnel and administrative practices which, if abruptly discontinued or ignored, could create much unrest and confusion and ultimately result in unnecessary harm to children and youth.

(b) Few, if any, of the county units are prepared for a sudden changeover if integration should be made a mandatory requirement. Workshops in Human Relations on a bi-racial basis need to be instituted at all levels; i.e., pupil, teacher, administrator and parent. The hopeful outcome of such planning and preparation would be to identify any problems and tensions which now exist, and to develop, through cooperative endeavor, techniques and procedures for solving these problems and for relieving the tensions. An orderly transition would be a more certain way of improving inter-racial understanding than to summarily implement the desegregation of the public schools.

(c) The wide variation which exists in the number and percentage of Negro pupils in the different counties of Maryland makes obvious the view that the counties in the State vary in their racial composition as Maine varies from Mississippi. In four or five counties the transition would possibly create few, if any, problems at all as the number of Negro pupils affected totals less than 500. In all other units the total of Negro pupils involved is considerably larger and the percentage in one county exceeds 50% of the total school enrollment. It is apparent that with such differences it is desirable that the counties within the State be permitted a gradual period of transition consistent with local conditions.

(d) The canvass of the counties also indicates that there is considerable variation within a county. One county specifically noted that desegregation would affect four communities within that county. While little or no opposition or tension would be manifest on a county-wide basis, citizens in the affected areas have indicated a preference for a gradual period of change from segregation to integration. This condition can be duplicated in nearly every unit where there is a concentration of Negro population.

For these reasons, the committee urges the Attorney-General of Maryland to argue for a "gradual adjustment" as the counties move from a segregated system "to a system not based on color distinctions". As stated above, the variation among states having segregated schools; the variation existing in Maryland as reflected in Garrett, Allegany and Washington Counties with the region of Southern Maryland and the Eastern Shore Counties; the variation within a given county; compel us to suggest that any time limit recommendation be flexible enough to provide for local adaptation to the final decree of the Court. If it please the Court to issue such a decree, it may be argued by some protagonists that indefiniteness is an invitation to endless court litigation and confusion. In fact, some have already

argued that "gradual adjustment" will be nothing short of a dodge — "a law of compliance which permits state officials to do nothing at all whenever they are of a disposition to do nothing". In rebuttal, the committee would call to the attention of the Supreme Bench the expressed intent of public officials of Maryland, who would be charged with the responsibility of carrying out the Court's decree, which appear earlier in this document. The committee would also wish to impress upon the honorable judges the fact that the process of desegregation will be carried out with the same good will and spirit — which have always characterized the application of the law in Maryland. The long and honorable record of Maryland as a member of the Union attests to the integrity of this statement. However, it may be argued that the moment a state or county ceases to operate a system providing enforced separation of *every* Negro child from *every* white child solely because of race, it has begun an action aimed to guarantee to every citizen his, or her, rights existing under the Fourteenth Amendment to the Constitution, as recently interpreted by the Supreme Court.

Any decree of the Supreme Court as to the procedure to be used in desegregation, we believe, should take into due consideration the good faith, fair-mindedness, and civil integrity of the people who will be affected, as well as, the profound and sweeping changes involved. The court's decision (May 17, 1954) will inevitably affect the entire school system of the State in the areas of administration, expenditures, allocation of pupils and teachers, construction of school facilities, and other related services. It may even necessitate a revision of state laws. We believe that changes of this kind, involving extensive reorganization, and the mores of society, to be successfully and soundly established, must be based on intelligent, considered action in the light of both fortunate and unfortunate eventualities, of both positive and negative reactions. In the judgment of the committee it would seem better to *plan* and *prepare* the way thereby creating a readiness which would assure success.

The Supreme Court in abolishing segregation in the public schools of this country created a new right for a minority group. By the same action it abrogated a right of the majority group. It is specious to argue that this right of the majority did not exist legally; it has been countenanced as a right for nearly a century and the Supreme Court on one memorable occasion placed its official sanction upon it. Pragmatically, then, the right of the white people in any given state, under the approval of its state laws, to send their children to segregated schools has existed. More important than any other consideration is the fact that the citizens of the several states practicing segregation in their schools have thought they had this right and their thinking and their attitudes have been conditioned by this fact.

The Supreme Court, in rendering its opinion to the effect that the operation of segregated schools by any state or local community is unconstitutional, strongly emphasized the psychological disturbances in Negro children due to this policy of excluding them from schools for white children. Supposedly, and conversely, the mixing of children, white and colored, will eliminate this emotional disturbance on the part of Negro children. Assuming for the purposes of this discussion that the premise has validity, although the problem is not quite so simple, by the same token it is reasonable to expect that integration will cause emotional disturbances in those white children who have lived in a segregated world with as clear a conscience as that of the English, Dutch, and New England slave traders who brought the Negroes to America for financial gain. Without implying criticism of the Court on this point, it might be said that justice—we are not referring to mercy—has no concern with the purely psychological. Justice is concerned solely with rights and privileges — moral or legal.

But since the psychological disturbances of Negro children have been considered in creating this new right for them, the Court should bear in mind the emotional disturb-

ance it is creating in white children by revoking the pre-existing right. The practical application of this point is that this factor should be taken into consideration in deciding upon the final decree.

The second question (#5) propounded by the Supreme Court and, in turn, directed to this committee for a recommendation is stated as follows:

"5. On the assumption on which question 4(a) and (b) are based, and assuming further that this Court will exercise its equity powers to the end described in question 4(b),

(a) should this Court formulate detailed decrees in these cases;

(b) if so, what specific issues should the decrees reach;

(c) should this Court appoint a special master to hear evidence with a view to recommending specific terms for such decrees;

(d) should this Court remand to the courts of first instance with directions to frame decrees in these cases, and, if so, what general directions should the decrees of this Court include and what procedures should the courts of first instance follow in arriving at the specific terms of more detailed decrees?"

The reply to these questions is a legal one with many different answers. These questions ask: Who will decide the exact and precise steps to be taken in abolishing segregation? Who will decide when the process is to begin? Who will decide how the process will proceed? These and many other questions must be clarified before the Supreme Bench issues its final decree.

It was the considered judgment of the committee that the Attorney-General of Maryland should be requested to plead for the remanding of all cases involving segregation

to courts of the first instance (lower courts) with instructions to them to devise a program for implementing the Court's opinion of May 17. This decision was reached because of our belief that it is not proper for the Supreme Court to involve itself in the administration of the public schools.

In the light of the foregoing, the following statement of principles to guide the State and local school authorities in Maryland would seem appropriate:

1. The primary concern of the Supreme Court is to guarantee that the right of no child to attend the school of his choice be impaired by reason of race.

2. The Supreme Court is not an administrative body on the Federal, State, or local level. Its function is judicial, not administrative.

3. The Court, in setting forth the condition under which its decree is to be implemented, should take into consideration the same psychological disturbances which were one of the bases for its decision.

4. The Supreme Court, in setting forth the conditions of implementation, should recognize the good faith of those who accept its decree and not inhibit them with undue restrictions.

5. The Supreme Court should be mindful of the fact that public education is the responsibility of the several states, and that they are accountable to no Federal agency or court except as they may infringe upon the rights guaranteed citizens by the Constitution.

6. The Supreme Court would be less than fair to those who are entrusted with the task of implementing its decree unless it defined a "non-segregated school". Are the terms "non-segregated" and "integrated" synonymous? Is non-segregation a legal fact only if there is a close relationship between the ratio of races in a school to the racial composition of the com-

munity? Would the practices in the states where segregation is already illegal be accepted in Maryland as satisfying the decree of the Supreme Court?

The following recommendations are made only with the unique problem in Maryland in mind.

Under the laws of Maryland "The State Board of Education shall exercise, through the State Superintendent of Schools and his professional assistants, general control and supervision over the public schools and educational interests of the State; . . .", and "The county board of education shall exercise through its executive officers, the county superintendent, and his professional assistants, control and supervision over the public school system of the county." Other sections of the law state that "Educational matters affecting the State and the general care and supervision of public education shall be entrusted to a State Department of Education, at the head of which shall be a State Board of Education", and "Educational matters affecting a county shall be under the control of a County Board of Education".

It should be apparent from these and other laws that the State Board of Education is entrusted with general oversight and supervision of the public schools of the State, but that the actual operation of schools, including specifically such matters as the assignment of pupils, consolidation of schools, and the appointment and dismissal of teachers, is the responsibility of the local (the several counties and Baltimore City) school systems.

It should be obvious then that the functions of the two divisions of administrative authority are different. Briefly and simply, the functions of the State Department of Education, acting under the State Board of Education, are supervisory; and those of the local school systems are operational. In the implementation of the decree of the Supreme Court, the statement made by the State Board of Education at its meeting on May 26, 1954, clearly defines the respective duties and functions of the two authorities.

The following is an excerpt from the statement of the State Board, and the amplifying and clarifying principles are added:

> "The role of the State Board of Education is not to set the detailed pattern of operation but to take an official position that the decision will be implemented with fairness and justice to all, and with due regard for the professional aspects of the program. Further, its responsibility is to act in a general over-all supervisory nature to insure that standard, equitable, practices are followed throughout the State."

In the opinion of the Committee the State Board of Education would be acting within the scope of its authority and in line with its responsibility if it should agree upon the following set of general principles, including possibly others, regarding the implementation of the decree of the Supreme Court.

It should state clearly and unequivocally to the local school authorities and the public the effect of the decree of the Supreme Court and of its (the State Board's) intention to exercise whatever authority it may have to guarantee that the decree is implemented fairly, honestly, and intelligently:

1. The administration of the public schools in Maryland is the responsibility of the county and city boards of education. Practices locally must be consistent with the laws of the State and the by-laws of the State Board of Education.

2. By law the consolidation of schools is the responsibility of the county and Baltimore City boards of education. The State Board of Education has no initiatory powers with respect to consolidation, it does have the right of review upon appeal.

   Likewise, the county boards of education have the responsibility for assigning children to schools. The

only inhibitory condition placed upon the county boards in the assignment of children is that race shall not be a factor in the decision.

3. In consolidating schools and in assigning children to schools, no county board may deny any child a right enjoyed by others.

4. Coercive measures should not be employed; that is, no child should be compelled to attend a particular school, rather, he should be given a choice. This position is more or less consistent with the pattern now employed in the several school systems of the State with respect to white children attending white schools and colored children attending colored schools.

5. Each county and Baltimore City should study its own situation and decide upon a plan to be put into operation within that system. The policy determined should be uniform throughout the system.

6. Certain cases of individuals who might believe themselves to be discriminated against could be appealed to the State Board of Education; others would have to appeal to the courts.

7. State funds are distributed to the counties and Baltimore City contingent upon the faithful adherence to the school laws; otherwise these funds can be withheld.

8. Due to different conditions, professional and social, the change from segregated schools to non-segregated schools will be more rapid in some local systems than in others; the change should be gradual but as rapid as possible.

While the local school systems are governed in a general way by the supervisory authority of the State Board of Education, they possess a considerable degree of autonomy. This autonomy, in effect, permits them to accept or reject certain actions suggested by the State Board, in certain

aspects of operation, however, the coercive authority must be accepted. In the field of simple administrative procedure, the autonomy of the local board is quite clear. As local school systems vary greatly in their problems it would be exceedingly unwise and futile for either the Court, or the State Board of Education, to make detailed suggestions for implementing the program of desegregation within the counties of the State.

If the committee's reasoning is correct the inauguration and implementation of desegregation in the schools of Maryland will constitute an involved and time-consuming process. It was our hope that we might be bold enough to suggest a possibility for the carrying out of the Court's opinion. Would it not be feasible to suggest to the Court that it provide for the principle of "gradual adjustment" and that it leave great discretion to responsible state and county school authorities and the legal department of the several states to devise ways and means for putting the program of desegregation into effect? We believe because of the argument previously presented, that these responsible school authorities should have the first opportunity to devise and inaugurate a plan, reasonable, fair and just, to implement the opinion of the Court. We believe that such action on the part of the Court would reaffirm our great faith in the wisdom and integrity of our State and local county boards of education and their executive officer — the superintendent of schools.

For that reason, the following set of principles for the local school systems, would seem appropriate:

THAT the County and Baltimore City Boards of Education, solely responsible for the operational phases of the local units of the public school system of the State, plan for desegregation on the basis of morally, legally, and administratively sound principles. In the opinion of the Committee those principles should be a clear delineation to the public of the implications of the decree of the Supreme Court.

THAT each local school system should develop a program of action based upon a thorough and comprehensive study of the local situation designed with due regard to the rights of every child and after consultation with representatives of both races. It might be remarked, parenthetically, at this point that such studies have already been inaugurated in many of the local units in Maryland.

THAT each local school system should develop a program of action that takes into proper consideration the psychological and other factors, both detrimental to and beneficial of, the orderly process of desegregation. In effect, application of this principle means simply that desegregation may be more rapid in some local school systems than in others. but it does not mean that no step in that direction may be taken by any local system. It does mean, however, that no uniform rigid pattern of desegregation can be followed statewide in Maryland.

THAT each local school system should keep in constant contact with proper authorities, educational and judicial, for review of actions taken as to their professional and legal appropriateness.

THAT the attitude of the local school authorities should not be one of aggressive advocacy but rather one of calm, fair administrative justice.

THAT the local school board should exercise all the leadership of which they are capable in bringing about an orderly implementation of the decree of the Supreme Court.

THAT in their procedure of implementation, the local school authorities making public utterances should be mindful not to make careless statements which will inflame the public. On the other hand, the local school officials should be clear, frank, and meticulous in informing the public of the detailed steps they intend to take in carrying out the program of desegregation.

In summary, the committee advocates a policy of gradual adjustment and remanding of responsibility for implementing the decree to the local school authorities. Legal opinion would seem to indicate that the issues to be treated in moving from segregation to desegregation are not within the conventional experience of the judiciary. The state and local agencies which have been established to cope with such problems should be afforded the first opportunity to work out on a bi-racial basis the procedures for meeting the new principles of law as contained in the Court's decision of May 17.

Our adherence to this position is based on our desire to build at the local level in our respective counties a climate of good will between all parties concerned. This climate is necessary to undergird the program of action which must be organized to carry out the opinion of the Court. We recommend to the several counties the formation of Citizens' Committees appointed by the local board and consisting of representatives of both races, who will consult with the local educational authorities on the steps to be taken in each county, the progress of desegregation, and the setting up of safeguards for the protection of the rights of all children. Following such a democratic procedure the people will feel that they have had a part in this program if the authority and responsibility for implementing the course of action is arrived at through citizens' advisory groups working in cooperation with local boards of education to devise the appropriate administrative policies. It is our further belief that this program will need the sympathetic understanding of all citizens, if the decision and resultant course of action are to be freed of emotional outbursts. Imposition of the specific directions at a level of government detached from the people will only add suspicion and confusion to an issue highly charged with emotionalism. The very nature of our democratic life implies that we approach this problem with an attitude of trust and a determination to develop a satisfactory answer to our immediate problem.

The essence of democracy lies in the local community; its manifestations are in the light of local tradition and thought. Mere edict from above will not change thinking nor the attitudes which influence human behavior; although its power may be accepted. If respect for law and oruer, elementary justice, and good will toward every man are present, as we desire them to be in Maryland, then the Supreme Court may well decide that establishment of the principle of non-segregation is the primary concern of the nation for the moment, with the belief that each community will move as rapidly as possible to bring its practices in line with proper moral and legal principles. Coercive measures, particularly drastic and sudden ones, never settle issues; they often create new ones. However, proper restrictive measures properly employed could serve as a gentle prod to action in the desired direction.

Finally, it is but a truism to say that the means determine the end. The manner in which desegregation is put into effect in our state and in our nation will determine for many years to come the attitude of the races toward each other. Only through good will is good will engendered.

IV.

STATEMENT OF THE BOARD OF EDUCATION REGARDING THE SUPREME COURT DECISION OF MAY 17, 1954

"The Supreme Court of the land has spoken. It is the duty and responsibility of the State Board of Education to do all within its power to work out the problem 'seemingly and in order' and in such manner that the rights and priviliges of no individual are impaired by arbitrary or capricious methods.

Upon the advice of the Attorney General of Maryland, the decision of the Supreme Court and the full implications of the decision will not be made until some time in the fall after the Court has had a conference and further hearings

and arguments with the Attorneys General, and possibly other representatives from the various states which will be affected. Until the conditions of the decision are made known finally, with the mandate and decree of the Supreme Court, any detailed plan of action for implementation would be premature. This statement does not imply, however, that the State Board of Education and the local school authorities, upon whom the major burden of solving the problem will fall, should delay in analyzing the situation and making plans for implementing the decision of the Court.

The laws of Maryland specifically provide for segregation in the public schools and in the teachers colleges. In view of this law requiring segregation, no program of integration can be put into effect until the decision of the Supreme Court becomes final and an effective date is set by the Supreme Court.

The detailed problems in respect to implementing the decision of the Supreme Court will rest primarly upon the local boards of education. The problems involved in any program of integration will vary among the different school systems of the State, but we are confident that they will be solved in a fair, decent, and legal manner and with good common sense. Furthermore we are confident that the local school boards, the local school officials, and the parents will settle this problem without restorting to chicanery or devious methods and with due regard for the rights of all parties concerned. Any program of implementation will be based upon professional and human considerations and not with coercive designs or methods. The public school system of Maryland has always been known for its high professional attitude and for its unbiased and unprejudiced treatment of all children.

The role of the State Board of Education is not to set the detailed pattern of operation but to take an official position that the decision will be implemented with fairness and justice to all, and with due regard for the professional aspects of the program. Further, its responsibility is to act

in a general over-all supervisory nature to insure that standard, equitable practices are followed throughout the state."

May 26th, 1954.

III.

A SURVEY OF NEGRO EDUCATION IN MARYLAND

Since the early days of the State's history, Maryland has had a relatively large Negro population. In 1790, the year of the first Federal census, Maryland's total population was 319,728, of which 65.3 per cent were white and 37.7 per cent were Negro. The maximum proportion of Negroes to white was reached in 1810, with 38.2 per cent, with a gradual decrease, decade by decade, until in 1950 the Negro population comprised but 16.5 per cent of the total.

The following table gives the racial population since 1890.

Population of Maryland by Races*

Year	*Total Population*	*White*	*Per Cent*	*Negro*	*Per Cent*
1890	1,042,390	826,493	79.3	215,657	20.7
1910	1,295,346	1,062,639	82.0	232,250	17.9
1930	1,631,526	1,354,226	83.0	276,379	16.9
1950	2,329,263	2,343,009	83.5	385,972	16.5

* U. S. Census Bureau Reports.

A. Public School Education for Negroes

In any study of the status of Negro education in Maryland, two or three basic factors and conditions should be mentioned. The first of these has to do with the varied population patterns among the counties and the metropolitan areas of the State. The northern and western counties have very sparse Negro populations; in fact, there are no Negroes of school age in Garrett, the mountainous, western-

most county of the State. The concentration of population increases from less than two percent in Western Maryland to approximately 25 per cent in the Southern Maryland and Eastern Shore counties and in Baltimore City.

The second factor has to do with the State's geographic location and socio-economic life. Maryland's varied topographic features, socio-economic patterns, and racial groups are some of the reasons why the State is frequently referred to as a "miniature America." Although it is a border state, many of its customs and traditions have linked it with the South. In fact, life in some areas of Southern Maryland and the Eastern Shore is similar in many respects with life in areas traditionally characterized as "the deep South." The highly industrialized Baltimore City area has attracted large numbers of people, both white and Negro, many in the unskilled labor category, chiefly from the South. Similarly, because of employment opportunities in government and related service fields, a tremendous concentration and expansion of population of both races is characteristic of the Washington suburban areas.

The third factor concerns the impact of the above noted population trends and patterns upon the school enrollments in the counties and in Baltimore City. These enrollment figures are shown in the table below:

Maryland Public School Enrollment by Color:
1923-1953

A. State Enrollment

Year Ending June 30:	*Total Enrollment*	*White*	*Per Cent*	*Colored*	*Per Cent*
1923	256,546	208,023	81.1	48,523	18.9
1933	285,519	228,071	81.3	52,448	18.7
1943	279,842	222,596	79.5	57,256	20.5
1953	399,050	314,916	78.9	84,134	21.1

B. Baltimore City Enrollment

Year Ending June 30:	Total	White	Per Cent	Colored	Per Cent
1923	104,072	87,066	83.6	17,006	16.4
1933	113,039	89,251	79.0	23,788	21.
1943	105,212	75,309	71.6	29,903	28.4
1953	131,854	84,498	64.2	47,356	35.8

C. County Enrollment — All Counties

Year Ending June 30:	Total	White	Per Cent	Colored	Per Cent
1923	152,474	120,957	79.4	21,517	20.6
1933	167,480	138,820	82.9	28,660	17.1
1943	174,640	147,287	84.2	27,353	15.8
1953	267,196	230,418	86.1	36,778	13.9

Maryland Public School Enrollment — Colored Pupils: 1923-1953

Year Ending June 30:	Total State			Total Counties			Baltimore City		
	Total	Elem.	High	Total	Elem.	High	Total	Elem.	High
1923	48,523	46,745	1,778	31,517	31,070	447	17,006	15,675	1,331
1933	52,448	47,193	5,255	28,660	25,944	2,716	23,788	21,249	2,539
1943	57,256	48,699	8,557	27,353	22,170	5,183	29,903	26,529	3,374
1953	84,134	57,877	26,257	36,778	23,631	13,147	47,356	34,246	13,110

Historically, Negro education in Maryland has followed the social and economic trends of our country's development. During the Revolutionary War period, benevolent attitudes were prevalent, especially on the part of many statesmen and churchmen; education was favored, and many Negroes became tradesmen, artisans, and clerks. Maryland early developed a favorable attitude toward the education of Negroes as evidenced by the establishment in Baltimore in 1797 by the Maryland Abolition Society of "An Academy for Children of Africans."

With the invention of the cotton gin, the extension of the plantation system southward, and the expansion of slavery, the first half of the nineteenth century was a period of strong reaction against education of Negroes, with legal restrictions in the South and segregated schools for Negroes in the northern states.

During the hectic reconstruction period following the Civil War, Negro education gradually became accepted and extended, with special help from church groups, philanthropic foundations and the Freedman's Bureau. By 1900, the Negro had achieved his legal right to education in all states, but with segregation the pattern in the South and border states.

Maryland is particularly fortunate in the legal framework supporting the public school system. The State school system is made up of twenty-three self-governing local county units and Baltimore City, each under the leadership of professionally trained superintendents and supervisors, and each unit developing its own program in compliance with the State School of Law and under the leadership and support of the State Superintendent of Schools and his staff. The entire structure of the system rests upon legislation enacted from session to session to support and implement the 1867 Constitutional provisions for public education.* This section of the Constitution is the foundation for a State minimum program of education for every child in Maryland regardless of race, creed, color, or geographical location of his birth. This program makes provision, among other things, for:

1. A qualified teacher for every child
2. A twelve-year system of education
3. A minimum salary scale for teachers, principals, and supervisors

* Constitution of Maryland — Declaration of Rights and Articles III and VIII. Also Article 77: The Public School Laws of Maryland.

4. State assistance to local units in establishing a minimum pupil-teacher ratio.
5. Free transportation for all pupils who live beyond a reasonable and safe walking distance
6. Free textbooks and materials of instruction
7. A minimum school year of 180 days
8. Compulsory school attendance
9. Special non-teaching services to pupils
10. Additional financial assistance for atypical pupils
11. An incentive fund to assist local units in financing construction of school buildings
12. A system of teacher tenure and retirement

A brief review of some of the legislation and practices affecting the progress of Negro education will show the tremendous advances made, particularly in the last few decades, in the State's effort to provide adequate educational opportunities for its children and youth.

Separate colored schools were established as a part of the public school system in Maryland as a result of the enactment of Chapter 377 of the Laws of 1872. Every county had colored schools in operation for the school year 1872-1873. In 1918, four counties established high schools for their colored youth. The number increased gradually until by 1934 every county, with the exception of one county with no colored children, was providing and is continuing to provide high school advantages for its colored youth.

A. Supervision

An act of 1910 Maryland Legislature provided supervision of Negro schools in the counties and carried with it a State appropriation for the salary of the supervisor. This law was modified in 1916 to require that a county must have as many as ten Negro schools to receive the State appropriation.

In 1920 a by-law of the State Board of Education, having the force of law, fixed the minimum academic and professional qualifications of supervisors and required the State Superintendent's approval for their appointment.

The 1916 Legislature created the position of State Supervisor of Colored Schools, as a member of the State Superintendent's staff, restricting the appointment to a white person. This restriction, however, and the position were removed by later legislation. In 1947 the first Negro was appointed to the supervisory staff of the Department of Education, and there are now two members on the staff. Special supervisors in the Department have, since their appointment, rendered equitable and regular services to all schools without regard to color.

Legislation enacted in 1945 provided that each county employing 30 or more teachers must employ a colored person as supervisor of colored schools, and also provided part-time supervision in counties employing from 10 to 30 teachers, with no color restriction.

B. Teacher Certification

When certification of teachers became a State function, according to 1916 legislation, the same certification requirements were set for both white and colored teachers. As the certificate requirements were increased from time to time, those for colored teachers usually lagged by a few years but are now identical. As a matter of fact, the certification status of colored teachers has maintained a most favorable position. As early as the school year ending in June 1934, the county colored elementary teaching staffs of 704 members included 689, or 98 per cent, who held first-grade certificates. As certification requirements were extended first to three years' and then to four years' training, the colored teachers have continued to maintain almost 100 per cent full certification status at both elementary and high school levels.

C. Teacher Salaries

Maryland had no State-wide salary schedule for public school teachers prior to 1904, at which time the Legislature prescribed a minimum of $300 per year for white teachers. In 1918 a salary schedule for colored teachers was set up by the Legislature. This schedule was increased in 1920 and in 1922 legislation provided for increments for satisfactory service, with a maximum of $85 per month for the eight-month school year then required. Although other salary adjustments were made after the 1922 legislation, the most significant advance was made when the Legislature, in 1941, passed the law equalizing salaries of white and colored teachers, effective January 1, 1942. Maryland thus became the first state to equalize salaries. Equality in salary for all teachers with comparable training and experience has since been fully respected by all counties, including the payments of increments not specified by State law. From an examination of the data in Table 2, it will be noted that the average annual salary for colored teachers in the State in 1953 (the latest year available) exceeded that of the white teachers by $61 or $3996 for colored and $3935 for white teachers. This favorable status is accounted for through the generally longer tenure and higher certification ratings of Negro teachers.

D. Length of School Year

The minimum session for colored schools was fixed at 140 days, or seven months, in 1916, but the Legislature raised this to 160 days or eight months in 1922, and to the present 180-day minimum for all schools in 1937. See Table 3 for fuller details regarding length of school year.

E. Transportation and Consolidation

Consolidation of schools has developed at an accelerated pace during the last decade or two as modern highways and buses have aided transportation of pupils. The extent to which consolidation has taken place is shown in Table 4. From less than one per cent in 1923, transportation is now

provided for more than half of all colored elementary pupils (57.0%) and for nearly three-fourths (73.5%) of colored high school pupils.

Even more remarkable has been the consolidation of schools from the inadequate, often drab and sub-standard one- or two-room schools to the modern, functional school plants which now are provided generally for all pupils, regardless of color. The figures in Table 5 tell only a part of the story but the reduction from over 400 one-teacher schools to only 26 in three decades is partial evidence of the trend toward adequate facilities for the colored pupil. Further evidence is found in tremendously accelerated post-war building programs for Negro schools. From 1946-1953, inclusive, the total capital outlay for new schools or additions in the State amounted to $31,432,740, with every county and Baltimore City sharing in this cost. Based on the 1952-53 total State enrollment of 84,134 colored pupils, this capital outlay represents an investment of $374 per pupil in *new* facilities alone. This figure compares favorably with the value of school property per pupil, regardless of color.

F. Enrollment and Persistency Trends

With the expansion of facilities, the extension of transportation, the improvement of teacher qualifications, and the modifications in the school program, there have come marked changes in enrollment and persistency in schools for colored children. Certainly the greatest change has been the expansion of high school enrollment. We note a 73 per cent increase in elementary enrollment since 1923 and a 1380 per cent increase in high school enrollment. Overageness likewise was reduced from more than 65 per cent in 1921 to 11.8 per cent in 1949, the last year such studies were made by the State Department of Education. Persistency to high school graduation, while not keeping pace with enrollment increases, has improved remarkably and is now approximately 50 per cent — that is, one-half of all pupils enrolled in the 9th grade remain until graduation four years

later. The number of graduates in the county high schools has increased from 24 in 1923 to 1,086 in 1953 and the State total from 958 in 1933 to 1,912 in 1953 — a 100 per cent improvement in twenty years (See Table 6). Further examination of the data in this table will show the improved situation with regard to the extension upward into high school grades of very large numbers of our colored youth. For example, the ratio of high to elementary enrollment has been reduced from 1 to 27 pupils in 1923 to 1 to 2.2 pupils in 1953.

G. Miscellaneous Information Supporting Progress in Negro Education

It is generally conceded that the current expense cost per pupil is a fair index of educational opportunity. From this criterion, there is full evidence that the State is fulfilling its obligation of equal educational opportunity for all its children and youth. In 1953 the State per capita cost for elementary pupils was:

Colored pupils — $185.72	For high schools:	Colored	— $239.07
White pupils — $184.61		White	— $247.36

(See Table 7, for further detail)

The effectiveness of a school's program is in part dependent upon the number of pupils assigned to each teacher. State aid is given to counties on the basis of thirty pupils per teacher in the elementary school since this ratio is considered the maximum for optimum effectiveness. The ratio for high schools is somewhat smaller in view of the nature of the offerings. From Table 8, it will be noted that in recent years, especially, there has been little difference in the teacher-pupil ratio among the schools regardless of color. The counties, in particular, have been able to reduce class size nearly to the desired minimum. In 1953, for example, the ratio for colored elementary schools was 32 and for high schools 21.2

Another evidence of an improved educational program is the extent to which teachers take advantage of the in-service training opportunities offered them. Traditionally, the colored teachers of the State have taken full advantage of all programs designed to improve themselves professionally. Through summer schools, extension courses, workshops, and other such programs, teachers have been given full and equal opportunities. In recent years these programs in the various counties have been conducted for all teachers on an integrated basis. Indeed, one of the most promising advances has been the complete integration of local supervisory and administrative staffs to promote one program for all pupils in a particular unit.

Other evidences of continued progress in the public schools of the State include:

1. The appointment of a Negro member to the State Board of Education
2. The appointment of Negro members to various local Boards of Education
3. Removal of the color restriction concerning membership in the Maryland State Teachers' Association
4. Extension of programs of adult education on an integrated basis in the local units
5. Programs of Parent Education extended to County units
6. The appointment of Negro supervisors of pupil personnel in counties with large Negro pupil populations
7. Extension of vocational programs in home economics, agriculture and trade and industrial education in all high schools where enrollment justified without regard to color
8. Legal provision for *colored* supervisors in all county units with 30 or more colored teachers even though such restriction based on color is contrary to current interpretations.*

* Chapter 11, Section 142: Public School Laws of Maryland, Vol. 28, April '48, No. 2.

9. Proper distribution of all funds received from local, State, and Federal sources for educational purposes, without regard to color.

10. Adequate provision for buildings, equipment, and materials of instruction for every child in the State, regardless of color.

11. Uniform provision for related and supporting services to the educational program; e.g. school lunch, health, and library services, to all pupils without regard to color.

B. Higher Education for Negroes in Maryland

There are at the present time four Negro colleges in the State, all of which are under public control and state support. Two of these are State Teachers Colleges, operated under the State Board of Education, acting as their Trustees, one is a branch of the University of Maryland and the fourth is a liberal arts college with its own Board of Trustees. None of the Negro colleges have ever offered work beyond the under-graduate level. In 1950 a Junior College for Negroes was opened in Montgomery County, with some State aid, but operating under the County Board of Education.

Within the past few years, the rigid pattern of racial segregation in higher education has begun to relax. Since 1935, an increasing number of Negro students have been admitted to the School of Law of the University of Maryland, and to such private institutions as the Johns Hopkins University, Loyola College and St. John's College. During the current year 1953-1954, both graduate and under-graduate Negroes are enrolled in several colleges of the University of Maryland.

The State's interest in and support of higher education for Negroes are reflected in its investment for capital outlay and general fund appropriations to the Negro colleges. The figures for recent years are shown below:

STATE SUPPORT FOR MARYLAND NEGRO COLLEGES

Year	*Bowie State Teachers College*	*Coppin State Teachers College*	*Maryland State College*	*Morgan State College*
A. *Capital Outlay Appropriations — 1939-1953**				
1939	$ 30,000	—	$ 35,000	$ 122,000
1947	42,000	—	587,000	1,491,000
1949	750,000	—	865,000	1,669,170
1951	800,000	—	865,000	2,111,170
1952	—	—	—	—
1953	260,500	—	—	1,920,000
B. *Property Inventory — Buildings, Equipment and Land*				
1953	$1,720,843.88	$674,213.84	$2,506,689.03	$6,392,225.55
C. *General Fund Appropriations*				
1950-51	$187,531	—	$457,186	$639,041
1951-52	241,456	$70,000	495,807	822,083
1952-53	263,012	86,035	559,461	929,681

* Source: Reports of the Comptroller of the Treasury Construction and Property Inventories and Fiscal Digests of the State of Maryland.

SUMMARY OF SELECTED DATA CONCERNING INSTITUTIONS OF HIGHER LEARNING FOR NEGROES IN MARYLAND*

Institution and Location	*Date Founded*	*Enrollment, June*	*Number Teachers on Staff*	*Number Acres in Site*	*Estimated Value (Present Value)*
1. Carver Jr. College	1950	39	**	**	**
2. Maryland State College, Princess Anne	1886	431	47	303	$4,500,00
3. Morgan State College, Baltimore	1867	2314	102	91	9,300,00
4. State Teachers College, Bowie	1867	348	16	187	1,720,84
5. State Teachers College, Coppin — Baltimore	1900	206	14	21	920,21

* Source — Replies received from Questionnaire to the College Presidents, Summer 1954.

** Uses staff and facilities of Montgomery County Public Schools.

The foregoing picture, however, gives only a part of the State's support of Negro higher education. To alleviate somewhat the condition of limited opportunities for graduate work or undergraduate work offered at the University of Maryland but not offered at any of the Negro colleges, the General Assembly of Maryland[1] in 1935 authorized the payment of partial scholarships to Negroes attending out-of-state institutions and appropriated $10,000 a year for 1936 and 1937. Additional legislation[2] provided $30,000 yearly for the 1938-39 biennium and subsequent appropriations have been made for each year since that time. Increasing demand has resulted in constantly increasing appropriations and disbursements. The 1954 appropriation was $200,000, with disbursements estimated to be $244,000. The total amount appropriated by the General Assembly for this purpose from 1936 to 1953, inclusive, is $995,000 with $1,269,745 disbursements during the same period — the difference having been made up from supplemental appropriations. The highest number of persons receiving grants was in 1953, with 907 recipients, divided among 76 out-of-state institutions. From the above data, the State appears to have been most generous in its provisions for higher education for Negroes.

---

[1] Acts of 1935, Ch. 92.
[2] Acts of 1937, Ch. 506, . . . (Article 49B).

III. TABLE 1.

ENROLLMENT IN MARYLAND PUBLIC SCHOOLS: BY COLOR, SEPTEMBER 1953

County	*All Pupils*	*White*	*Per Cent*	*Colored*	*Per Cent*
Total State	409,570	325,910	79.6	83,660	20.4
Baltimore City	125,266	79,127	63.2	46,139	36.8
Total Counties	284,304	246,783	86.8	37,521	13.2
Allegany	15,837	15,553	98.2	284	1.8
Anne Arundel	24,396	19,663	80.2	4,733	19.8
Baltimore	52,341	48,520	92.7	3,821	7.3
Calvert	3,172	1,594	50.3	1,578	49.7
Caroline	3,869	2,976	76.9	893	23.1
Carroll	8,763	8,311	94.8	452	5.2
Cecil	7,164	6,695	93.5	469	6.5
Charles	5,759	3,197	55.5	2,562	44.5
Dorchester	5,249	3,607	68.7	1,642	31.3
Frederick	11,533	10,458	90.7	1,075	9.3
Garrett	4,518	4,518	100.	—	—
Harford	11,924	10,658	89.4	1,266	10.6
Howard	5,037	4,053	80.5	984	19.5
Kent	2,835	2,013	71.1	822	28.9
Montgomery	37,362	34,860	93.3	2,502	6.7
Prince George's	42,223	36,468	86.4	5,755	13.6
Queen Anne	3,086	2,238	72.5	848	27.5
St. Mary's	3,886	2,734	70.3	1,152	29.7
Somerset	3,945	2,337	59.2	1,608	40.8
Talbot	3,767	2,582	68.5	1,185	31.5
Washington	15,531	15,205	97.9	326	2.1
Wicomico	7,491	5,607	74.9	1,884	25.1
Worcester	4,616	2,936	63.6	1,680	36.4

Table (f)

Data on School Bus Vehicles Available for Transportation of White and Negro Pupils

County	Buses For White No.	Buses For White %	Buses For Negro No.	Buses For Negro %	Total No. Buses	No. Negro Drivers % White Buses
Allegany	98	99.0	1	1.00	99	0
Anne Arundel	84	75.0	28	25.0	112	0
Baltimore	213	91.4	20	8.6	232	2
Calvert	22	59.5	15	40.5	37	0
Caroline	32	74.4	11	25.6	43	0
Carroll	60	90.9	6	9.1	66	1
Cecil	47	83.9	9	16.1	56	1
Charles	37	47.8	27	42.2	64	0
Dorchester	40	70.2	17	29.8	57	0
Frederick	90	89.1	11	10.9	101	0
Garrett	90	100	0	0	90	0
Harford	89	84.8	16	15.2	105	5
Howard	36	80.0	9	20.0	45	3
Kent	23	65.7	12	34.3	35	0
Montgomery	101	77.1	30	22.9	131	0
Prince George's	111	75.5	36	24.5	147	0
Queen Anne's	27	73.0	10	27.0	37	0
St. Mary's	28	65.1	15	34.9	43	0
Somerset	30	63.8	17	36.2	47	0
Talbot	24	70.6	10	29.4	34	0
Washington	88	97.8	2	2.2	90	0
Wicomico	45	73.8	16	26.2	61	0
Worcester	37	62.7	22	37.3	59	0

III. Table 1-A.

Summary Distribution

Percentage Distribution Colored Enrollment	*No. of Counties*	*Baltimore City*
0- 9.9%	8	—
10.0-19.9	4	—
20.0-29.9	5	—
30.0-39.9	3	1
40.0-49.9	3	—
Total	23	1

III. Table 2.

Maryland Public Schools

Average Salary Per Teacher:

By Color 1923-1953*

Year Ending June 30	Elementary Schools		High Schools	
	White	*Colored*	*White*	*Colored*
1923	$1,228	$ 899	$1,690	$1,455
1933	1,401	1,056	1,710	1,197
1943	1,724	1,634	1,968	1,905
1953	3,856	4,017	4,031	3,963

* For purposes of brevity, the data in these tables have been condensed to cover a 30-year period by decades only. All data in this report are from the Annual Reports or other sources on file in the Maryland State Department of Education, unless otherwise indicated.

III. Table 3.

Maryland Public Schools

Average Days in Session: By Color 1923-1953

Year Ending June 30	Total State				Baltimore City				All Counties			
	Elementary		High		Elementary		High		Elementary		High	
	White	Col.	White	Col.	White	Col.	White	Col.	White	Col.	White	Col.
1923	187.3	172.4	186	181.1	188.9	189.1	184	184	186.4	162.5	187	171.5
1933	188	178.4	186.9	181.3	190	190	188	189.5	187.7	167.8	186.4	173
1943	184	185	186	185	188	188	188	188	183	184	183	181
1953	182.4	183.1	182.8	183	184	184	184	184	181.8	182	182.5	182.1

III. Table 4.

Number and Per Cent of Pupils Transported at Public Expense — Maryland Counties: By Color 1923-1953

Year Ending June 30	Elementary				High			
	White		Colored		White		Colored	
	No.	%	No.	%	No.	%	No.	%
1923	3,485	3.	133	1.	843	6.	—	—
1933	28,750	26.5	847	3.	10,209	33.7	502	19.
1943	45,733	42.	6,591	29.	18,804	49.	3,583	69.
1953	68,070	48.1	13,240	57.	54,060	63.7	9,649	73.5

III. Table 5.

Reduction in Number of One-Teacher Schools in Maryland Counties 1923-1953

Year Ending June 30	Total Number Elementary Schools		Number of One-Teacher Schools	
	White	Colored	White	Colored
1923	1,619	521	1,093	403
1933	901	489	406	334
1943	565	298	143	132
1953	498	182	33	26

III. Table 6.

Maryland Public Schools

High School Graduates: By Color 1923-53

Year Ending June 30	All Counties		Baltimore City	
	White	Colored	White	Colored
1923	1,953	24	(Not available)	
1933	4,921	297	2,381	661
1943	6,731	664	2,501	453
1953	8,609	1,086	2,835	826

III. Table 7.

Maryland Public Schools

Current Expense Cost Per Pupil: By Color 1923-53

Year Ending June 30	State Average			
	Elementary		*High*	
	White	*Colored*	*White*	*Colored*
1923	$ 49.69	$ 30.68	$102.25	$ 94.35
1933	52.91	36.84	86.10	61.16
1943	65.23	57.72	113.43	103.15
1953	184.61	185.72	264.11	239.85

III. Table 8.

Maryland Public Schools

Average Number of Pupils Per Teacher: By Color 1923-53

Year Ending June 30	Elementary				High			
	All Counties		*Baltimore City*		*All Counties*		*Baltimore City*	
	White	*Colored*	*White*	*Colored*	*White*	*Colored*	*White*	*Colored*
1923	31.7	38.3	—	—	20.	15.2	—	—
1933	36.2	34.9	34.5	38.3	24.6	26.7	26.5	29.7
1943	36.8	36.3	32.	34.7	23.	25.4	21.	20.9
1953	31.4	32.	32.3	33.5	21.6	21.2	20.9	26.3

IV.

Table (a)

Maryland Population by Counties and Races

1950

County	*Total*	*White*	*Negro*	*% White*	*% Negro*
Allegany	89,540	88,308	1,232	98.63	1.37
Anne Arundel	117,239	94,800	22,439	80.87	19.13
Baltimore County	270,124	252,247	17,877	93.39	6.61
Calvert	12,096	6,972	5,124	57.64	42.36
Caroline	18,234	14,782	3,452	81.07	18.93
Carroll	44,891	42,850	2,041	95.46	4.54
Cecil	33,348	30,742	2,606	92.19	7.81
Charles	23,406	15,190	8,216	64.90	35.10
Dorchester	27,802	20,112	7,690	72.35	27.65
Frederick	62,271	57,979	4,292	93.11	6.89
Garrett	21,258	21,249	9	99.996	.004
Harford	51,741	46,293	5,448	89.48	10.52
Howard	23,105	19,247	3,858	83.31	16.69
Kent	13,671	10,110	3,561	73.96	26.04
Montgomery	164,134	153,804	10,330	93.71	6.29
Prince George's	193,899	171,247	22,652	88.32	11.68
Queen Anne	14,576	10,708	3,868	73.47	26.53
St. Mary's	29,073	23,129	5,944	79.56	20.44
Somerset	20,742	13,416	7,326	64.69	35.31
Talbot	19,418	14,154	5,264	72.90	27.10
Washington	78,869	76,691	2,178	97.24	2.76
Wicomico	39,624	31,252	8,372	78.88	21.12
Worcester	23,142	16,048	7,094	69.35	30.65
Baltimore City	948,754	723,655	225,099	76.28	23.72

Table (b)

Number and Percentage

White and Negro School Population in Counties of Maryland — June 30, 1954

County	*Total School Population*	*White*	*Negro*	*% White*	*% Negro*
Allegany	15,480	15,207	280	98.24	1.76
Anne Arundel	24,231	19,449	4,782	80.26	19.74
Baltimore	51,888	48,272	3,616	93.03	6.97
Calvert	3,075	1,530	1,545	49.76	50.24
Caroline	3,805	2,949	856	77.50	22.50
Carroll	8,635	8,198	437	94.94	5.06
Cecil	7,029	6,567	462	93.43	6.57
Charles	5,660	3,121	2,539	55.14	44.86
Dorchester	5,153	3,522	1,631	68.35	31.65
Frederick	11,497	10,427	1,070	90.69	9.31
Garrett	4,434	4,434	0	100.00	0.00
Harford	13,234	11,930	1,304	90.15	9.85
Howard	4,960	4,007	953	80.79	19.21
Kent	2,773	1,965	808	70.86	29.14
Montgomery	42,561*	39,838	2,723	93.60	6.40
Prince George's	41,650	35,966	5,684	86.32	13.68
Queen Anne	3,246	2,351	895	72.43	27.57
St. Mary's	3,852	2,660	1,192	68.76	31.24
Somerset	3,883	2,309	1,574	59.46	40.54
Talbot	3,714	2,534	1,180	68.23	31.77
Washington	15,746	15,439	307	98.05	1.95
Wicomico	7,347	5,524	1,823	75.19	24.81
Worcester	4,474	2,859	1,615	63.91	36.09

* Plus 444 White Students in Jr. College.
60 Negro Students in Jr. College.

Table (c)

White and Negro School Population in the Counties of Maryland — June 30, 1954

(Elementary — Secondary)

County	*Population*	*White E*	*White S*	*Negro E*	*Negro S*
Allegany	15,487	8,370	6,837	163	117
Anne Arundel	24,231	12,998	6,451	3,094	1,688
Baltimore	51,888	31,283	16,932	2,262	1,354
Calvert	3,075	947	583	1,103	442
Caroline	3,805	1,771	1,178	536	320
Carroll	8,635	4,973	3,225	256	181
Cecil	7,029	4,303	2,264	280	182
Charles	5,660	1,942	1,179	1,671	868
Dorchester	5,153	2,122	1,400	1,016	615
Frederick	11,497	6,242	4,185	697	373
Garrett	4,434	2,715	1,719	0	0
Harford	13,234	8,100	3,830	766	538
Howard	4,960	2,485	1,522	587	366
Kent	2,773	1,197	768	505	303
Montgomery	42,561*	23,715	11,362	1,635	870
Prince George's	41,650	23,693	12,273	3,660	2,024
Queen Anne	3,246	1,378	973	523	372
St. Mary's	3,852	1,755	905	791	401
Somerset	3,883	1,435	874	964	583
Talbot	3,714	1,496	1,038	750	430
Washington	15,746	8,889	5,986	172	135
Wicomico	7,347	3,901	1,623	1,237	586
Worcester	4,474	1,716	1,143	1,066	549

* Plus 444 white students in junior college and 60 colored students in junior college.

TABLE (d)

County	*Total Teaching Personnel*	*White*	*Negro*	*% White*	*% Negro*
Allegany	606	595	11	98.2	1.8
Anne Arundel	882	719.8	162.2	81.6	18.4
Baltimore	1,877	1,725	152	91.9	8.1
Calvert	121	62	59	51.2	48.8
Caroline	163	126	37	77.3	22.7
Carroll	346	328	18	94.8	5.2
Cecil	292	275	17	94.2	5.8
Charles	231	132	99	57.1	42.9
Dorchester	203	147	56	72.5	27.5
Frederick	394.6	359.1	35.5	91.0	9.0
Garrett	175	175	0	100	0
Harford	405	360	45	88.9	11.1
Howard	217	177	40	81.6	18.4
Kent	119.5	85	34.5	71.1	28.9
Montgomery	1,700.5	1,571	129.5	92.4	7.6
Prince George's	1,530	1,312	218	85.8	14.2
Queen Anne's	137	101	36	73.7	26.3
St. Mary's	144	101	43	70.1	29.9
Somerset	162	101	61	62.3	37.7
Talbot	152.5	105	47.5	68.8	31.2
Washington	611	596	15	97.5	2.5
Wicomico	252	185	67	73.4	26.6
Worcester	182	121	61	66.5	33.5

TABLE (e)

County	*Total School Buildings*	*White Elementary*	*White Secondary*	*Negro Elementary*	*Negro Secondary*
Allegany	34	25	7	1	1
Anne Arundel	63	34	8	20	1
Baltimore	77	49	13	12	3
Calvert	17	6	2	8	1
Caroline	13	4	5	3	1
Carroll	19	8	9	1	1
Cecil	30	19	8	2	1
Charles	24	6	5	11	2
Dorchester	33	17	6	9	1
Frederick	37	22	7	7	1
Garrett	31	29	2	0	0
Harford	25	17	4	2	2
Howard	16	6	5	4	1
Kent	18	8	3	6	1
Montgomery	85*	62	13	8	2
Prince George's	95	58	13	19	5
Queen Anne's	15	9	3	2	1
St. Mary's	20	9	2	7	2
Somerset	22	7	5	8	2
Talbot	21	9	2	9	1
Washington	50	38	10	1	1
Wicomico	26	15	1	9	1
Worcester	20	6	6	7	1

* Plus two junior high schools (1 white, 1 negro).

TABLE (g)

SCHOOL PERSONNEL

(Superintendent and Staff)

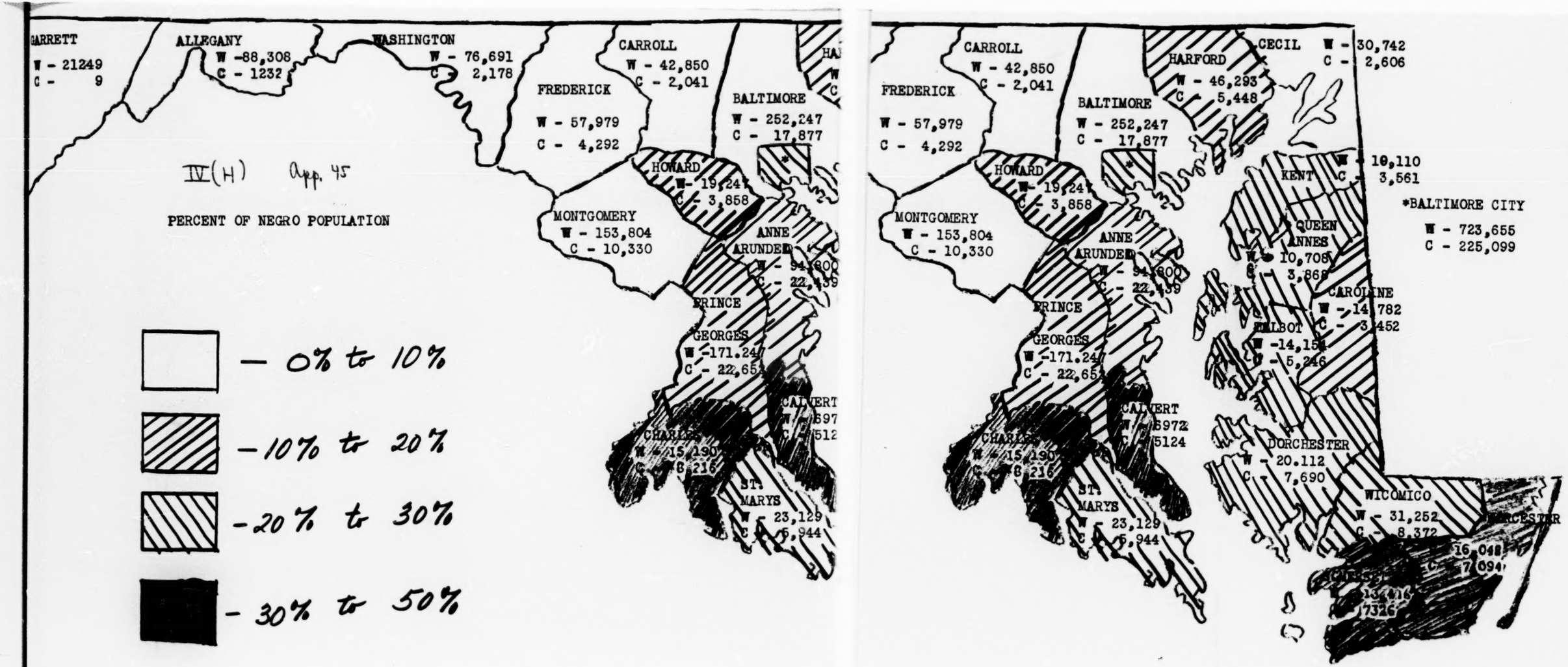
County	*White*	*Negro*	*Total*	*No. of Negro Supervisors*	*No. of Negro V.T.'s*
Allegany	17	0	17	—	—
Anne Arundel	28	2	30	1	1
Baltimore	61	3	64	2	1
Calvert	3	1	4	1	—
Caroline	4	1	5	1	—
Carroll	9	1	10	1	—
Cecil	7	0	7	—	—
Charles	5	3	8	2	1
Dorchester	4	1	5	1	—
Frederick	8	1	9	1	—
Garrett	6	0	6	—	—
Harford	13	0	13	—	—
Howard	5	1	6	1	—
Kent	4	1	5	1	—
Montgomery	72	1	73	1	—
Prince George's	36	3	39	2	1
Queen Anne's	4	1	5	1	—
St. Mary's	5	1	6	1	—
Somerset	4	1	5	1	—
Talbot	4	½	4.5	½	—
Washington	19	0	19	0	—
Wicomico	7	1	8	1	—
Worcester	5	1	6	1	—

Table (g)

School Personnel

(Superintendent and Staff)

County	*White*	*Negro*	*Total*	*No. of Negro Supervisors*	*No. of Negro V.T.'s*
Allegany	17	0	17	—	—
Anne Arundel	28	2	30	1	1
Baltimore	61	3	64	2	1
Calvert	3	1	4	1	—
Caroline	4	1	5	1	—
Carroll	9	1	10	1	—
Cecil	7	0	7	—	—
Charles	5	3	8	2	1
Dorchester	4	1	5	1	—
Frederick	8	1	9	1	—
Garrett	6	0	6	—	—
Harford	13	0	13	—	—
Howard	5	1	6	1	—
Kent	4	1	5	1	—
Montgomery	72	1	73	1	—
Prince George's	36	3	39	2	1
Queen Anne's	4	1	5	1	—
St. Mary's	5	1	6	1	—
Somerset	4	1	5	1	—
Talbot	4	½	4.5	½	—
Washington	19	0	19	0	—
Wicomico	7	1	8	1	—
Worcester	5	1	6	1	—


GARRETT
W - 21249
C - 9
ALLEGANY
W -88,308
C - 1232
WASHINGTON
W - 76,691
C 2,178
FREDERICK
W - 57,979
C - 4,292
CARROLL
W - 42,850
C - 2,041
BALTIMORE
W - 252,247
C - 17,877
HOWARD
W - 19,247
C - 3,858
MONTGOMERY
W - 153,804
C - 10,330
ANNE ARUNDEL
W - 94,800
C - 22,439
PRINCE GEORGES
W -171.247
C - 22,651
CHARLES
W - 15,190
C - 8,216
CALVERT
W - 5972
C - 5124
ST. MARYS
W - 23,129
C - 6,944
HARFORD
W - 46,293
C 5,448
CECIL
W - 30,742
C - 2,606
KENT
W - 10,110
C - 3,561
*BALTIMORE CITY
W - 723,655
C - 225,099
QUEEN ANNES
W - 10,708
C - 3,868
CAROLINE
W - 14,782
C - 3,452
TALBOT
W -14,154
C - 5,246
DORCHESTER
W - 20.112
C - 7,690
WICOMICO
W - 31,252
C - 8,372
16,048
7,094
13,416
7326
IV(H) App. 45
PERCENT OF NEGRO POPULATION
- 0% to 10%
- 10% to 20%
- 20% to 30%
- 30% to 50%

V(a)

DATA RELATING TO DESEGREGATION OF THE SCHOOLS IN THE CITY OF BALTIMORE

DEPARTMENT OF EDUCATION
Administration Building
Three East Twenty-Fifth Street
Baltimore 18, Maryland

Office of
The Superintendent

July 2, 1954

Mr. W. Giles Parker
Deputy Attorney General
Mathieson Building
Baltimore, Maryland

Dear Mr. Parker:

I am sending you herewith copies of several documents which have been developed in the Baltimore Public Schools to deal with the elimination of racial segregation. These include: the opinion of the City Solicitor of Baltimore, the initial statement of policy by the Board of School Commissioners, the administrative directive approved by the Board following its adoption of the policy statement, the address of the Superintendent to the teaching force, and an administrative circular concerning the handling of applications for pupil transfers.

You will note that there is no plan to reorganize the Baltimore School System. It is, rather, our basic assumption that we shall continue to operate very largely as we have in the past except that the race of a pupil will have no bearing upon any decision made affecting him. We shall take no action deliberately to integrate any school because we believe that it would be as wrong to use pupils as the means of bringing about integrated schools as it would be to use them to create segregated units.

At the staff level we shall make no reassignments for racial purposes. As vacancies are filled, selections will be made in each case from the five persons standing highest on the appropriate eligible list. In determining which of the five persons is to be assigned to a given vacancy the specific requirements of the situation and the total qualifications of the candidate will be taken into account.

We have in Baltimore several major assets which should contribute to a smooth transition. For many years our Board has dealt equally with white and Negro schools regarding construction, maintenance, supplies, teacher qualifications, and all of the other elements affecting quality of education. Negro and white staff members have worked together in committees, workshops, and other staff activities. Pupils of both races have visited each others schools and have participated in an increasing number of joint activities.

Baltimore has never followed a rigid districting practice. Of our 175 units, only approximately 35 are districted. Each one of these is a crowded school, about which a boundary has been fixed to prevent its further over-crowding. In such cases pupils living within the boundaries have the right to attend a districted school but are not required to do so. Those who live outside the boundary are not allowed to enter the districted school. In general, any pupil is free to attend any school in the city for which he is qualified. None of our senior high schools and only one junior high school is currently districted.

I trust that I have given you the sort of information you desire but if you have any further questions I shall do my best to answer them for you.

Sincerely yours,

JOHN H. FISCHER,

Superintendent.

V(b)

CITY SOLICITOR'S OFFICE

June 1, 1954

Board of School Commissioners
3 East 25th Street
Baltimore 18, Maryland
Attention: Mr. Walter Sondheim, Jr.

Gentlemen:

This will acknowledge receipt of your letter of May 25, 1954, making inquiry relative to the legal effect upon the duties and obligations of the Board of School Commissioners, of the recent Supreme Court decision regarding segregation of children in public schools on the basis of race.

As you know, Article 32, section 22, of the Baltimore City Code specifically sets forth the Board's duties on this regard, as follows:

> "It is hereby made the duty of the Board of School Commissioners of the City of Baltimore to organize separate schools for colored children, and to establish as many schools for the education of the colored children of Baltimore City as may in the judgment of said board be necessary."

It is the opinion of this Office that the Supreme Court, by its decision, has determined that segregation in education, as provided for by Article 32, section 22, of the Baltimore City Code, is in deprivation of the equal protection of the laws guaranteed by the Fourteenth Amendment, and is, consequently, unconstitutional and invalid.

Very truly yours,

THOMAS N. BIDDISON,

City Solicitor

V(c)

RESOLUTION OF BOARD OF SCHOOL COMMISSIONERS OF BALTIMORE CITY

Adopted at Board Meeting — June 3, 1954

In view of the decision of the Supreme Court regarding segregation in our public schools, and in view of an opinion given us by the Baltimore City Solicitor dated June 1, 1954, it is the opinion of this Board that our system should be conformed to a non-segregated basis to be in effect by the opening of schools in September of this year.

In doing so, we would ask our staff to prepare material outlining the practical steps to be taken and that this material be presented at our next meeting.

V(d)

BALTIMORE-18, MARYLAND

DEPARTMENT OF EDUCATION

Office of
The Superintendent of Public Instruction

June 10, 1954

To the Board of School Commissioners:

Ladies and Gentlemen:

In view of the policy on the elimination of racial segregation in the Baltimore Public Schools enunciated by the School Board on June 3rd, the Board of Superintendents presents the following recommendations to implement that policy:

1. All of the standards and criteria which are now in force with respect to the admission of pupils to schools, grades, or curricula shall continue in force except that the race of the pupil shall not be a consideration.

The present policy of the school system with respect to pupil transfers shall be continued. Under this policy, transfers because of changes of residence are routinely approved. Transfers for other reasons may be approved by the two principals involved or by the appropriate Assistant Superintendent.

2. As in the past, no child shall be required to attend any particular school. Baltimore has never adopted a districting policy which requires such attendance. There is to be no change in the present rule of the School Board for establishing school districts. This rule says, in effect, that where a building is overcrowded, specific district lines may be established as required by building capacity and neighborhood population. No pupil who lives beyond such a line may then enter the districted school. All pupils enrolled in any school prior to the establishment of a district line about that school are permitted to remain there.

   On the other hand, any pupil who lives within such a district and whose parents desire him to attend a more distant school may be admitted to that school if it is not districted and if the reason for seeking a transfer is considered satisfactory. As population increases occur, it may become necessary in the future, as it has in the past, to district additional schools.

3. In the assignment, promotion, and transfer of staff members, the present policy of respecting relative merit shall be scrupulously observed. As in the past, it shall be the purpose of the Department of Education to assign each employee to that position in which he is likely to render his best service to the school and to the community. No person shall be denied any opportunity because of his race.

Respectfully submitted,

JOHN H. FISCHER,

Superintendent.

V(e)

ADDRESS TO THE TEACHERS OF THE BALTIMORE PUBLIC SCHOOLS BY DR. JOHN H. FISCHER, SUPERINTENDENT

June 14-15, 1954

My fellow teachers:

Only the most urgent reason could justify calling you to an extra meeting in this busy final week of the school year. I think you will agree that what brings us here today is of the greatest importance. What I want to discuss with you is the recent action of our Board of School Commissioners eliminating racial segregation in the Baltimore Public Schools at the beginning of the next school year.

It would be better for us to talk about this in a conversational fashion, but the size of our staff denies us that pleasure here. I have no alternative, therefore, but to lay before you some of the major implications of this action for us as teachers, and to invite you to discuss the subject freely among yourselves in your respective schools, or with any of us on the central staff.

Without fear and without subterfuge our Board has met its responsibility. Paraphrasing the words of Robert E. Lee, we cannot now do more than our duty, we shall not want to do less.

The cases in which the Supreme Court handed down its historic decision of May 17 were before the Court for about two years. There was much speculation, as you well know, upon the probable decision and yet it appears extremely doubtful that any student of American history or culture could have been truly surprised when the decision was finally read.

What happened in Washington on the 17th of May 1954 was not unusual for America. The whole course of our history as a nation is marked by such actions, actions which one by one have destroyed barriers that stood between the ordinary man and a richer life. Those of you who know the

history of democracy will recall how the prophets of doom warned against every one of these forward steps. In advance of each one, our ancestors were assured by the viewers-with-alarm that it would undoubtedly lead to the most awful consequences. And each time a strengthened people proved them wrong.

It was so when each shipload of optimists set sail for the New World.

It was so when we determined to separate our colonies from the British crown.

It was so when property qualifications upon voting were removed.

It was so when manhood sufferage was adapted, when child labor was outlawed, when compulsory school attendance was instituted, when slavery was abolished.

And always there have been the satisfied sustainers of the status quo.

In this present instance they are represented by those of both races who say, "But why should we not continue to provide equal separate education? After all, have we not done quite well under that doctrine?"

Listen, if you will, to the words of Court; a court frequently divided in its decisions, but in this one, unanimously decisive.

> "In approaching this problem, we cannot turn the clock back to 1868 when the amendment was adopted, or even to 1896 when Plessy v. Ferguson was written. We must consider public education in the light of its full development and its present place in American life throughout the nation.
>
> "Today education is perhaps the most important function of state and local governments. Compulsory school attendance laws and the great expenditures for education both demonstrate our recognition of the im-

portance of education in our democratic society. It is required in the performance of our most basic public responsibilities, even service in the armed forces. It is the very foundation of good citizenship. Today it is a principal instrument in awakening the child to cultural values, in preparing him for later professional training, and in helping him to adjust normally to his environment. In these days, it is doubtful that any child may reasonably be expected to succeed in life if he is denied the opportunity of an education. Such an opportunity, where the state has undertaken to provide it, is a right which must be made available to all on equal terms

* * *

"Segregation of white and colored children in public schools has a detrimental effect upon the colored children. The impact is greater when it has the sanction of the law; for the policy of separating the races is usually interpreted as denoting the inferiority of the Negro group. A sense of inferiority affects the motivation of a child to learn. Segregation with the sanction of law, therefore, has a tendency to retard the educational and mental development of Negro children and to deprive them of some of the benefits they would receive in a racially integrated school system.

"Whatever may have been the extent of psychological knowledge at the time of Plessy v. Ferguson, this finding is amply supported by modern authority. Any language in Plessy v. Ferguson contrary to this finding is rejected.

"We conclude that in the field of public education the doctrine of 'separate but equal' has no place. Separate educational facilities are inherently unequal."

In an editorial published the day after the decision, the *New York Times* pointed out that the Constitution and the Bill of Rights can be hard masters. What the *Times* might have added is that these are masters of our own creation. From our earliest days as a nation we have set down from

time to time in historic documents the high principles by which we mean to govern ourselves. Often these statements have run ahead of our usual behaviour but they remain our deliberately established goals and our own freely chosen standards.

It is when we become aware that our daily conduct is inconsistent with these statements of purpose that we begin to rise above our past. It is on these occasions that the American dream comes more nearly true for more Americans.

In one of these pivotal chapters of American history we are now privileged to become active participants. To a greater degree than most historic events the abolition of segregation in public schools will affect the daily lives of individuals. Because it has to do with long-established patterns of association, it will raise questions with emotional overtones. To ignore these aspects of the problem would be unwise and irresponsible.

Being teachers and, therefore, students of human behaviour we need to understand these things, and being human, we must view our own attitudes with as much objectivity as we can muster. As instructors of children and leaders of community thought, we must be sensitive to the anxieties which exist, and we should prepare ourselves to be of the greatest possible assistance in clarifying misunderstandings and providing reassurance.

Let me review some of the questions that are being asked, and let me give you such information as I can bearing upon them.

1. Will the school system be reorganized to integrate all schools?

The answer to that question is "No". There will be no such reorganization. All of our present policies for admitting or transferring pupils will remain in full effect, except that no child shall be denied entry to any school or

class because of his race. The designation of white and Negro schools will, of course, be discontinued, because every school will now receive children of both races. But no effort will be made deliberately to transfer children of either race for the purpose of "mixing" schools. We have had the last of placing children anywhere for racial reasons. Hereafter every child will be dealt with strictly on the basis of his educational requirements and in terms of his best development.

The Division of Colored Schools will cease to exist, but no one now associated with that Division will suffer any loss of status because of this administrative change.

2. Will there be a large number of pupil transfers in September?

There should not be. Because of the long-standing policy of our Board and our City Government, Negro and white schools in Baltimore are operated according to equal standards. In the construction of buildings and their maintenance, in the professional examination of teachers, in the allocation of funds for books and supplies there have been no racial distinctions.

It is no secret that we have many crowded schools, or that most Baltimore children attend school in buildings that are about as old as the homes in which they live. But this statement applies to children of both races. Where a nearby school offers advantages to any pupil, white or Negro, over the school he now attends, and the parent requests a transfer, the request should be granted. But only in rare instances should a young child be sent far from his home to another school.

At the secondary or vocational level, distance is less important, but in such cases a pupil in the middle of a three year program should be transferred only where it is clearly advisable for him to do so.

3. Will teachers or other staff members be discharged as a result of the new policy?

Again, the answer is "No." As in the past, vacancies which occur in the future will be filled with a scrupulous regard for relative merit. There will be one eligible list for each type of position. Whenever a vacancy occurs, one of the applicants of the five standing highest on the list will be selected for employment. As in the past specific requirements of the position and the total qualifications of each available candidate will determine who is assigned. Whether we are dealing with teaching positions filled by transfer or initial placement, or promotional positions filled by selection by the Board of Superintendents, no one will be discriminated against because of his race. Nor will his race entitle anyone to preferment over another who is better qualified.

4. Will children be required to attend particular schools?

No, and again I refer to our present policy. Baltimore does not insist that any child attend the school in whose district he lives. Of our 175 school units only about 25 or 30 which are badly crowded are districted. In these cases, children living within a prescribed area have the right to attend the districted school and others are excluded. But if a child living in any district wishes to attend elsewhere, he may do so if the school of his choice is not itself districted and if there is a good reason for transferring.

No secondary school except Garrison Junior High School is now districted and every other one is accordingly available to any qualified student.

As population changes occur additional schools may have to be districted, and if this happens, the regular policy will apply. No child will be deliberately assigned to any school because of his race.

5. The question perhaps most frequently asked is, "Will it work?"

The only guide we can have for the future is our experience of the past.

At the staff level we have been working for many years in groups assembled without regard to race. In workshops, in committees, in staff conferences of all kinds we have helped and complemented each other. In the Public School Teachers Association, the Teachers Union, the Principals Association, integration has been the pattern for many years. In our staff we know it has worked.

In many of our schools Negro and white pupils have visited each other to exchange assembly programs, to engage in debates, to discuss common problems. This has worked.

For several years, the Junior Red Cross has conducted summer workshops in which white and Negro pupils have worked and played side by side with pleasure and profit. This has worked.

Here at Poly Negro boys were admitted to the "A" Course in 1952. The faculty and student body decided at the outset that there would be in this school only one class of boy — the Poly boy. The Negro students, now some 40 of them, participate in every phase of school life. Has it worked? The first boy is scheduled to graduate next June. You might ask him or his white classmates who refer to him as a "good guy".

In our adult education program for a number of years, without headlines or fanfare, Negro and white students have studied in the same classes and within the month, in this very building we have organized an adult center in which the faculty and the student body both include white and Negro members, in about the same proportions as our total school population. And this is working so well that the viewers-with-alarm couldn't have been more wrong.

But, some say, what about the parents? How will they react? Since 1947 when our Coordinating Council of Parent Teacher Organizations was formed, it has been a unified group. Established on the basis of councilmanic districts, the executive board of the Council has included every year men and women of both races. Has it worked? The record of the Council's accomplishments is proof enough of its success.

Will it work? Review, if you please, every activity of our school system for the past fifteen or more years in which Negro and white children, adult students, or staff members have been associated. You will discover that, without exception, every one has succeeded.

In response to such facts as I have given, some will say that these experiences have occurred on too small a scale to be conclusive. They may not represent the general reaction. Many of us think that, on the contrary, these experiences do in truth represent the general reaction of pupils, teachers and parents. There is abundant evidence that good will and good sense are widely distributed among our people and that those qualities are characteristic of both our races.

To be sure, there are a few white persons who see no good in any Negro and a scattering of Negroes who look with distaste or distrust on every white person. Such people are a small minority among us. Both their number and their influence are happily on the decline. I doubt that there are any in our teaching staff. Certain it is that such people would feel uncomfortable and unwelcome in this group.

Jacques Barzun in his delightful new book, "God's Country and Mine" says, "The first thing that democracy must be is inclusive." We may add that he who would serve as a teacher in a democracy must be broadly inclusive not only in his sympathy but in his appreciation of the good in all manner of men.

When our schools face such a mission as the one we are now assigned, I value more than ever the knowledge that

ours is a great army of volunteers. Of our own choice we have enlisted to serve all our people and the cause of education. We are, therefore, entitled tc share the quiet pride that only the volunteer may feel.

We are in many ways a fortunate group. We teachers enjoy priceless blessings, despite whatever problems we face. Ours is a happy task for every day we deal with youth and growth and enlightenment. All that we do is founded upon faith and hope and love. The love of truth, the love of learning, the love of children, these are great forces with which to work.

There is no doubt that the world could be transformed if only their power could be fully unleashed. More than most men and women, we are in a position to use that power.

Walter Hines Page was thinking in this vein a half century ago when at a Normal School Commencement in Athens, Georgia, he said:

> "It is a shining day in any educated man's growth when he comes to see and to know and to feel and freely to admit that it is just as important to the world that the child of his neighbor should be trained as it is that his own child should be. Until a man sees this he cannot become a worthy democrat nor get a patriotic conception of education; for no man has known the deep meaning of democracy or felt either its obligation or its lift till he has seen this truth clearly."

There are many reasons why I take pride in my twenty-four years of membership in this staff. And the response which so many of you are making wholeheartedly and voluntarily to the enormous new responsibility now placed upon you has added to this sense of great privilege which I feel. I know that in many faculties plans are being made to receive graciously new pupils and staff members of the race not now represented in your school. By chance on Friday, I saw a copy of a letter addressed by the principal

of one of our schools to his faculty. This happens to be a white school, No. 10-10A, and the principal is Mr. James Carroll. But the tone of the message so well reflects the spirit of our entire system that I want to read it to you and with it to conclude my remarks and this meeting—

"It is probable the addition of Negro teachers and pupils to this school will be an established fact next September.

The adjustment problem may well be a simple one if you prepare yourself and your class for the change. Knowing all of you as I do, I am certain the problem will be simple with us.

For my part, I shall receive every teacher and every pupil on terms of perfect equality.

I shall give the Negro teacher or the Negro child no special favors because of his color, nor shall I withhold any privilege or right from him because he is Negro.

I shall remember that the same God made both of us — that he put my mind inside a white skin — that except for the accident of birth my mind might well have been covered by a colored skin and the mind of my new helper or pupil might have been placed inside the white skin.

My stepson found the Negro boys who fought in Korea beside him to be first-class fighting men who neither asked for nor received special favors. He learned that the colored skin received enemy bullets with the same bravery that the white skin received them.

The tax collector accepts (demands) money from the colored hand as from the white.

Segregation in the schools has ended. Let us make the transition in this school a smooth transition. Let us be proud of ourselves next June."

VI.

THE WEST RIVER PROCLAMATION

Being very deeply concerned with the results of the recent Supreme Court opinion on the conduct of education by the states, we, the parents and teachers of Owensville Elementary and Southern High Schools have assembled and given due consideration to our rights and responsibilities in the operation of public schools. Being citizens of the free and sovereign state of Maryland and being conscious of its great tradition of tolerance for the diverse religious faiths, political creeds, and natural races of mankind, we petition the State government to continue to respect the rights reserved to the people of the Federal and State Constitutions. We believe, as our ancestors proclaimed in 1776, that all men are created equal, that they are endowed with certain inalienable rights, that to secure these rights governments are instituted among men deriving their just powers only from the consent of the governed, and that among our rights is a direct voice in the education of our children.

Upon these timeless truths we base our firm resolutions as follows:

1. That any action taken in this state in consequence of the recent opinion of the Supreme Court should be based only upon due process of state law sanctioned by the people through referendum, and not merely upon arbitrary action of temporary office holders or appointed commissions.

2. That in order to assure equal protection of the law to each race and to prevent development of an inferiority complex in any child, no child should be compelled to undertake public education under instructors not of his own race without consent of his parents or guardians.

3. That the administration of free schools should be conducted on the principle of maximum local control with the objective of the greatest satisfaction to all participating students, subordinating neither the majority to the minority nor the minority to the majority.

4. That to accomplish these objectives it is essential to give local populations a direct voice in the selection of their own Boards of Education and their school trustees, and that these locally designated representatives should retain the authority to establish equitable administrative policies for selection of instructors and for admission to the various schools in their responsibility and to make plans for necessary expansion and assignment of facilities.

We earnestly solicit the adoption of these sincere resolutions, which we henceforth will identify as the "West River Proclamation," by every fair-minded organization interested in public education in the free state of Maryland.

Formally Approved By:

Southern High School P. T. A. on August 11, 1954

Owensville School P. T. A. on August 19, 1954

Subsequently endorsed by other
Anne Arundel County Public School P. T. A.

VII.

PETITION CIRCULATED BY THE "MARYLAND PETITION COMMITTEE"

STATE-WIDE PETITION COLLECTED IN ..... COUNTY

We, the undersigned citizens of the State of Maryland, being residents of voting age, do consider the ruling of the U. S. Supreme Court on May 17, 1954, against race segregation in public schools as an invasion and violation of our individual rights under a sovereign state. We believe that the heritage of our race is the one gift received from our ancestors which we may with surety transmit to our children. We believe that this God given heritage should not be taken from us by any human law or decision. We believe that it is the duty of judicial, legislative and executive agencies to protect this heritage, not to move for its destruction. We believe that the abolition of segregation in

our schools strikes through our children, at the survival of our race, because it deprives them of protection which they need until they develop adult judgment.

We, therefore, do petition the government of the State of Maryland to make provision for the establishment of a system of private schools for any group or groups which may wish to protect the continued existence of its own race; and make provision that any citizen who subscribes to the support of such a school shall be entitled to and, in fact, shall receive a rebatement of, or a freedom from all taxes collected or to be collected from him, henceforth, for all purposes of public instruction.

Joined together in this common cause, one to another, we are in full belief that our Constitution grants us the right to withdraw our children from the public schools at any time the aforementioned privileges are denied us by the State of Maryland. By affixing our signatures we do witness that we have never, nor do we intend to ever become a member of any organization advocating the overthrow of the government of the United States of America by force or violence.

NAME (SIGNATURE) MAILING ADDRESS

.....

.....

VIII(a)

MORGAN STATE COLLEGE
Baltimore 12, Maryland

June 21, 1954

To the Superintendents of Maryland Schools

The principals, supervisors and presidents of the Negro schools and colleges of the State met in a conference at Morgan State College on June 19 to consider how they might contribute to a smooth and orderly adjustment of

our public school system to the recent decision of the Supreme Court of the United States.

The attached statement was adopted by the conference. It is hoped that you will find this statement helpful in the formulation of plans and procedures in your county.

I am also enclosing two of the papers read at the conference. In addition to the value of their content, these papers will convey to you the basic approach of the conference.

Cordially,

MARTIN D. JENKINS,

President of Morgan State College
and Chairman of the Conference.

cc: Boards of Education

VIII(b)

A STATEMENT ADOPTED BY THE CONFERENCE ON PUBLIC SCHOOL INTEGRATION IN MARYLAND

June 19, 1954

The Supreme Court of the United States has rendered the decision that segregation in public education is in violation of our national constitution. The principals, supervisors and presidents of Negro schools in Maryland recognize that no other decision was possible if the enduring and universal principles enunciated in our constitution were followed to the ultimate. And because we believe that this is the beginning of a new era of human relations in this state, citizens of Maryland have had their faith and belief in democracy strengthened. Each in his own way, Negro and white, will now have the opportunity to contribute to the good of society in terms of individual qualifications.

We recognize that the transfer from a dual system to a democratically organized system may give rise to many

problems of adjustment. This conference goes on record as pledging Negro educational leaders to unstinted effort to make democracy work at this time. We believe that the leaders represented at this conference will take immediate steps to prepare the general public, teachers, administrators and pupils for integrated schools. We believe, further, that all the other educational leaders of the state will want us to stand shoulder to shoulder with them in a cooperative effort to meet this situation in a democratic way. We ask only an opportunity to serve the common good.

This conference commends the educational leaders of our state for the forthright position taken looking toward implementation of the Court's decision.

We commend the educational leaders of Baltimore City for their immediate implementation of the Supreme Court's decision. We likewise commend the State Superintendent of Schools and the State Board of Education for the unequivocal statement of intent to conform to the mandate of the Supreme Court.

Excerpts from the statement of the State Superintendent and the State Board of Education follow.

> The Supreme Court of the land has spoken. It is the duty and responsibility of the State Board of Education to do all within its power to work out the problem "seemingly and in order" and in such manner that the rights and privileges of no individual are impaired by arbitrary or capricious methods * * *
>
> The detailed problem in respect to implementing the decision of the Supreme Court will rest primarily upon the local boards of education. The problems involved in any program of integration will vary among the different school systems of the State, but we are confident that they will be solved in a fair, decent, and legal manner and with good common sense. Furthermore, we are confident that the local school boards, the local school officials, and the parents will settle this problem

without resorting to chicanery or devious methods and with due regard for the rights of all parties concerned. Any program of implementation will be based upon professional and human considerations and not with coercive designs or methods. The public school system of Maryland has always been known for its high professional attitude and for its unbiased and unprejudiced treatment of all children.

The role of the State Board of Education is not to set the detailed pattern of operation but to take an official position that the decision will be implemented with fairness and justice to all, and with due regard for the professional aspects of the program. Further, its responsibility is to act in a general over-all supervisory nature to insure that standard, equitable practices are followed throughout the State.

In view of expressed positions of the highest governing boards in the public schools of the State, this conference enunciates several assumptions which we believe will underlie any and all decisions in any and all educational subdivisions of the state.

1. We assume the Board of Education of each county will adopt and announce a policy with respect to the integration of public schools which will make clear the determination that the schools shall be organized and administered without regard to race of pupils, teachers and administrative officers and non-teaching personnel.

2. We assume and believe that Negro citizens will be called to committee work designed to lay plans for the integration of schools. We believe that Negro leaders should participate in planning from the outset and to assist in formulating calm, logical approaches which may be made at this time.

3. We assume that in each county specific plans will be made for preparing teachers and administrative personnel, both white and Negro, for integrated schools.

We believe there are many negative factors, emotional and attitudinal, which can be eliminated through careful planning and preparation.

4. We assume that there will be specific plans for preparing pupils, both Negro and white, for integrated schools. Children reflect in their personalities the mores of the community in which they live. Planning and preparation will pay large dividends in Americanism.

5. The school children are but one population of many concerned with this problem. We assume that each county will make specific plans to enlist the cooperation of parents, community leaders and community agencies, both Negro and white, in the development of positive attitudes for integrated schools.

VIII(c)

CONFERENCE ON PUBLIC SCHOOL INTEGRATION IN MARYLAND

Morgan State College

June 19, 1954

What Can Be Done to Prepare Teachers and Administrative Officers, both White and Negro, for Integrated Schools? (Outline of a Presentation by a Conference Participant)

The recent decision which was handed down by the Supreme Court of the United States anent segregation in public schools has deep and broad implications for the principal and teacher. Great and far-reaching social changes beget uncertainties, doubts, lack of a sense of security, and many obstructions to the ultimate fruition of those changes. Therefore, in order that we may chart our course with some degree of certainty and in order that we might have a few points for your studied consideration, I herewith list the following:

Challenge 1: The Negro teacher, much more so than the Negro student, needs to become emotionally and psychologically competent in terms of the demands of integration.

A. The school principal should provide staff meetings at which time prerequisites for the successful teacher participation might cooperatively be agreed upon.

B. The principal with the teachers, could with the help of his staff, organize an instrument for the purpose of teacher self-appraisal.

C. The principal should use his influence with the chief executive officer of his school system to have teachers of his school appointed to integrated school committees.

Challenge 2: In order to eliminate possibilities of tensions during this period, what steps should be taken by administrators, supervisors, counselors and teachers?

A. Within the keeping of teachers, both white and Negro, are students who after all represent the end product; it is within their power to set the pace of their students and hold in subjection those who might tend toward being firebrands and trouble makers. This might be done by:

1. Members of the staff, including the principal, discussing with students the implications of the Supreme Court decision in a very frank, objective and unemotional manner.

2. Making every effort to see to it that students representing the school participate in every integrated county-wide and state-wide school program which may be sponsored within their systems. However, the administration should take every precaution to see to it that proper and enlightened supervision is provided.

3. Those who are charged with the guidance and direction of our boys and girls should make every

effort to arrange for the kind of programs within their respective schools which will provide the opportunity to invite white boys and girls to come into the Negro school and share in that program.

Challenge 3: There is a dire need for white teachers to develop an understanding of Negro children on social, economic, psychological and achievement levels.

A. Invitations should be extended to outstanding white teachers to participate on the staff meetings of the Negro schools.

B. There should be a constant exchange of news and information between white and colored schools.

C. Surveys and studies which are made relative to the Negro school population should be made available; however, some caution should be observed in this particular instance.

D. Administrative officers should make every effort to encourage civic and church organizations to utilize where possible the vast reservoir of talent which could be used.

IX.

The Trustee Committee on State Scholarships
MORGAN STATE COLLEGE
Baltimore 12, Maryland

July 7, 1954

A STATEMENT OF POLICY GOVERNING THE AWARDS OF STATE SCHOLARSHIPS

In compliance with an opinion of the United States Supreme Court, rendered on May 17, 1954, and in view of the action of the Board of Regents of the University of Maryland, which provides for the admission of all eligible citizens

of the State without regard to race, creed or color, and in accordance with the ruling of the Attorney General of Maryland, the above named Committee announces its new policy as follows:

1. Beginning with the academic year 1954-55 (September, 1954), no grants will be made to new applicants for State Scholarships.

2. Current recipients of State Scholarships, whose status as candidates for degrees is definitely established on or before September 1, 1954, may have their grants renewed until they graduate, provided graduation shall be accomplished within a reasonable time. Scholarships will be terminated in June, 1958.

3. Questionnaires have been mailed to all recipients of Scholarships for the academic year 1953-54, and the Summer of 1954, as a first step in determining their eligibility for renewal privileges. These should be filled out and returned to the Secretary immediately. The next step will be a verification of the facts submitted, either from data in our files or by the University the student is attending.

4. Late in August or early in September, 1954, the Committee will consider all applicants for renewal of scholarship grants in light of the above policies. Renewal application forms will be sent on request. No such applications will be honored after August 1.

THE TRUSTEE COMMITTEE
ON STATE SCHOLARSHIPS

Ivan E. McDougle, Chairman

Willard W. Allen

Josiah F. Henry, Jr.

Martin D. Jenkins

Edw. N. Wilson, Secretary

X.

MARYLAND CONSTITUTIONAL PROVISIONS AND STATUTES RELATING TO SEGREGATION IN EDUCATION

(a) Constitution of Maryland

Article VIII.

Education

Section 1. The General Assembly, at its first session after the adoption of this Constitution, shall, by law, establish throughout the State a thorough and efficient system of free Public Schools; and shall provide by taxation or otherwise, for their maintenance.

Annotated Code of Maryland (1951 Ed.)

Article 77

Public Education

Chapter 12. State Teachers' Colleges

(b) Section 160. The state board of education and the state superintendent of schools shall be the board of trustees of each of the normal schools maintained and supported by the State; the state normal school at Towson, the state normal school at Frostburg and the state normal school at Bowie.

Chapter 18. Schools for Colored Children

(c) Section 207. It shall be the duty of the county board of education to establish one or more public schools in each election district for all colored youths, between six and twenty years of age, to which admission shall be free, and which shall be kept open not less than one hundred and eighty (180) actual school days or nine months in each

year: provided, that the colored population of any such district shall, in the judgment of the county board of education, warrant the establishment of such a school or schools.

(d) Section 208. Each colored school shall be under the direction of a district board of school trustees, to be appointed by the county board of education subject to the provisions of Section 13 of this Article, and schools for colored children shall be subject to all the provisions of this Article.

Free Scholarships

State Teachers Colleges

(e) Section 269. There shall be located in the city of Baltimore or elsewhere (if the board of education deem best) a State normal school for the instruction and practice of colored teachers in the science of education, the art of teaching and the mode of governing schools, to be known as State Normal No. 3 (now a State Teachers College); the said school shall be under the control of the State board of education, who shall appoint the principal and necessary assistants; and the faculty shall consist of a principal and as many teachers as the board shall appoint. The sessions of the school shall be determined by the State board of education, who shall prescribe the curriculum of study, which, however, shall include courses for the special preparation of instructors for teaching the elements of agriculture and mechanic arts, provide necessary quarters, supplies and apparatus, fix the qualifications for admission as students, the salary of the principal, assistant teachers and employes.

Baltimore City Code (1950 Ed.)
Article 32

Schools

Schools for Colored Children

(Originally Ordinance of Mayor and City Council of Baltimore, No. 44, July 10, 1867)

(f) Section 22. It is hereby made the duty of the Board of School Commissioners of the City of Baltimore to organize separate schools for colored children, and to establish as many schools for the education of the colored children of Baltimore City as may in the judgment of said board be necessary.